

ATTACHMENT B

The Defendant

1. In at least 2015 and 2016, Daren DEJONG (“DEJONG”) was a MSP Trooper assigned to the Troop E, Weston Barracks. In or around 2016, DEJONG’s annual MSP compensation was approximately \$179,971, which included approximately \$63,394 in overtime pay, a portion of which included pay for AIRE and X-Team overtime shifts.

2. As an MSP Trooper in Troop E, DEJONG regularly received Troop E memorandums, policies, and protocols that instructed Troop E personnel as to AIRE and X-Team assignment requirements, including the 4-hour AIRE shift and 8-hour X-Team shift duration requirements and paperwork reporting responsibilities.

The Defendant’s Fraudulent Scheme

3. In or about 2016, DEJONG signed up for and received overtime pay for approximately 164 AIRE overtime shifts and approximately 13 X-Team shifts. For each of these overtime shifts, DEJONG received approximately \$75 per hour of overtime pay from MSP. On a regular basis, DEJONG purposefully did not work the entire 4-hour AIRE overtime shift or 8-hour X-Team overtime shift. Rather, he departed his assignment on I-90 from one hour up to seven hours early, depending upon the shift. On several occasions, DEJONG signed up for and received AIRE and/or X-Team overtime pay without even showing up to work for the given overtime shift at all.

4. In order to conceal the fraud, DEJONG submitted bogus and fraudulent traffic citations by: (a) altering citations that DEJONG had issued during his regular shift in order to create the appearance that he had performed work during an AIRE shift that was not done; and (b) submitting citations that were never issued to motorists and which were never submitted to the RMV.

Examples of DEJONG's Fraudulent Conduct

January 24, 2016 - DEJONG submits fraudulent citations for an AIRE shift he did not work at all

5. On or about January 24, 2016, DEJONG was assigned to Troop E, Weston Barracks, working the day shift (approximately 7:00 a.m. to 3:30 p.m.). DEJONG's Paystation (payroll) records showed that for January 24, 2016, DEJONG entered the following:

Date	Hours	Description	Comments
1/24/2016	8	REG – Regular Worked Day	
1/24/2016	4	Radar	AIRE 1530-1930

6. Those records show that DEJONG worked a regular shift from 7:00 a.m. to 3:30 p.m. (700-1530), and, then worked an AIRE overtime shift from 3:30 p.m. to 7:30 p.m. (1530-1930).

7. DEJONG submitted an AIRE Activity Card in which he claimed to have written 8 motor vehicle citations and performed 1 "assist" during the "C" AIRE shift.

8. Specifically, DEJONG claimed to have issued the following citations during the AIRE shift on January 24, 2016:

Citation Number ending	Time of Citation	Driver's Initials	Time DEJONG Ran CJIS Inquiry for the Operator and/or Vehicle	Claimed Location of the Traffic Violation
369	1435	O.K.	1358 (37 minutes prior to time claimed on the citation)	WB RTE 90 Southborough
370	1445	C.H.	1406 (39 minutes prior to time claimed on the citation)	WB RTE 90 Southborough
371	1455	J.L.	1408 (47 minutes prior to time claimed on the citation)	WB RTE 90 Hopkinton
372	1500	B.G.	1411 (49 minutes prior to time claimed on the citation)	WB RTE 90 Hopkinton
373	1510	N.B.	1415 (55 minutes prior to time claimed on the citation)	WB RTE 90 Hopkinton

Citation Number ending	Time of Citation	Driver's Initials	Time DEJONG Ran CJIS Inquiry for the Operator and/or Vehicle	Claimed Location of the Traffic Violation
374	1520	M.P.	1418 (1 hour and 2 minutes prior to time claimed on the citation)	WB RTE 90 Hopkinton
375	1535	L.L.	1421 (1 hour and 14 minutes prior to time claimed on the citation)	WB RTE 90 Grafton
376	1550	A.H.	1425 (1 hour and 25 minutes prior to time claimed on the citation)	WB RTE 90 Grafton

9. The investigation has revealed that DEJONG did not issue any of these citations during the AIRE shift. First, all but two of the citations show times that precede the start of the AIRE shift at 1530. Second, as shown in the fourth column of the chart, on January 24, 2016, DEJONG performed CJIS record checks of the drivers – typically done **after** a Trooper stops a motor vehicle (to check for outstanding license suspensions, warrants, etc.) – more than an hour **before** any of the purported drivers were supposedly stopped.

10. What is more, according to RMV records, there were no records showing that any of the citations (369-376) were issued on January 24, 2016.¹ Finally, DEJONG's cruiser radio data for January 24, 2016 showed that DEJONG's cruiser was turned on at 5:09 a.m. and turned off at 2:55 p.m. The cruiser was not turned back on until 7:27 a.m., the following day, when DEJONG's Paystation records reflect he began working a detail at approximately 8:00 a.m. Thus, the entire time that DEJONG claimed to be working an AIRE overtime shift, from 1530-1930, DEJONG's cruiser was off – signifying that he was not driving his cruiser.

¹ The RMV has certified that it has no record of any of those citations having been issued.

February 14, 2016 – DEJONG submits fraudulent citations for a 4-hour AIRE shift during which DEJONG worked only approximately 1 hour

11. On or about February 14, 2016, DEJONG was assigned to Troop E, Weston Barracks, working the day shift (approximately 7:00 a.m. to 3:30 p.m.). On that day, DEJONG did not work due to a holiday, but did claim to have worked a 4-hour AIRE overtime shift.

Date	Hours	Description	Comments
2/14/2016	8	HDO – Holiday – Day taken for holiday earned	
2/14/2016	4	Radar	AIRE 1530-1930

12. As shown, those records show that DEJONG had a holiday day off and then worked a 4-hour AIRE overtime shift from 1530-1930.

13. DEJONG also submitted an AIRE Activity Card in which he claimed to have written 8 motor vehicle citations and had 5 “assists” during the “C” AIRE shift. MSP has located 7 citations that DEJONG claimed to have issued during the AIRE shift on February 14, 2016. I do not believe that these citations were issued during the AIRE shift. First, most of the citations have times that precede the AIRE shift at 1530. Second, on February 14, 2016 DEJONG performed CJIS record checks of the drivers at times that preceded the AIRE overtime shift and preceded the times of DEJONG’s purported car stops in all but one instance.

Citation Number ending	Time of Citation	Driver’s Initials	Time DEJONG Ran CJIS Inquiry for the Operator and/or Vehicle	Claimed Location of the Traffic Violation
184	1450	M.W.	1454 (4 minutes after time claimed on the citation)	EB RTE 90 Millbury
185	1500	J.S.	1457 (3 minutes prior to time claimed on the citation)	EB RTE 90 Millbury
186	1505	J.M.	1501 (4 minutes prior to time claimed on the citation)	EB RTE 90 Millbury

Citation Number ending	Time of Citation	Driver's Initials	Time DEJONG Ran CJIS Inquiry for the Operator and/or Vehicle	Claimed Location of the Traffic Violation
187	1520	P.B.	1506 (14 minutes prior to time claimed on the citation)	EB RTE 90 Millbury
188	1535	S.W.	1508 (27 minutes prior to time claimed on the citation)	EB RTE 90 Grafton
189	1550	S.M.	1518 (32 minutes prior to time claimed on the citation)	EB RTE 90 Grafton
190	1610	J.L.	1520 ² (50 minutes prior to time claimed on the citation)	EB RTE 90 Grafton

14. According to RMV records, there were no records showing that any of the citations (184-190) were issued on February 14, 2016.

15. DEJONG's cruiser radio data for February 14, 2016 showed that DEJONG's cruiser was turned on at 2:44 p.m., and turned off at 3:33 p.m. The cruiser was not turned back on until 5:10 a.m., the following day.

16. DEJONG's cruiser radio data thus signifies that DEJONG turned on his MSP cruiser from 2:44 p.m. to 3:33 p.m. to conduct the CJIS checks from 2:54 p.m. to 3:20 p.m., and in order to generate the bogus tickets that DEJONG claimed to have written during the AIRE overtime shift.³

² This was the last CJIS inquiry on February 14, 2016.

³ Daily Journal Records for the Weston Barracks for February 14, 2016 reflect that DEJONG responded to assist a disabled motor vehicle (DMV) at 1516 and cleared the scene at 1526. DEJONG was credited for this time worked. No other activity is recorded for DEJONG that day.

August 29, 2016 – DEJONG submits fraudulent citations for a 4-hour AIRE shift that DEJONG did not work at all

17. On or about August 29, 2016, DEJONG was assigned to Troop E, Weston Barracks, working the day shift (approximately 7:00 a.m. to 3:30 p.m.). DEJONG's Paystation (payroll) records showed that for August 29, 2016, DEJONG entered the following:

Date	Hours	Description	Comments
8/29/2016	0	DOR – Day Off Regular – enter 0 hours	
8/29/2016	4	Radar	AIRE 0730-1130

18. As shown, those records show that DEJONG had a regular day off and claimed to have worked a 4-hour AIRE overtime shift from 0730-1130.

19. DEJONG also submitted an AIRE Activity Card in which he claimed to have written 10 motor vehicle citations and performed 3 “assists” during the “A” AIRE shift. MSP has located 9 citations that DEJONG claimed to have issued during the AIRE shift on August 29, 2016.

Citation Number ending	Date and Time on Citation	Driver's Initials	Date and Time DEJONG Ran CJIS for Driver/Vehicle History	Claimed Location of the Traffic Violation
540	8/29/16 0705	G.A.	8/31/16 0712	EB RTE 90 Millbury
541	8/29/16 0715	A.M.	8/31/16 0718	EB RTE 90 Millbury
542	8/29/16 0725	K.S.	8/31/16 0721	WB RTE 90 Millbury
543	8/29/16 0740	J.N.	8/31/16 0725	WB RTE 90 Millbury
544	8/29/16 0755	J.S.	8/31/16 0728	WB RTE 90 Auburn
545	8/29/16 0805	J.R.	8/31/16 0732	WB RTE 90 Auburn
546	8/29/16 0810	J.B.	8/31/16 0736	EB RTE 90 Auburn
547	8/29/16 0825	N.N.	8/31/16 0739	EB RTE 90 Auburn
548	8/29/16 0845am	A.S.	8/31/16 0743	EB RTE 90 Auburn

20. DEJONG's cruiser radio data reveals that it turned off on August 26, 2016 at 7:53 a.m. and did not turn back on until August 30, 2016 at 8:15 a.m.⁴ Thus, the entire time that DEJONG claimed to be working an AIRE overtime shift, from 0730-1130 on August 29, 2016, DEJONG's cruiser was off – signifying that he was not driving his cruiser.

21. As noted in the CJIS column above, no driver histories were run on the drivers that DEJONG claimed to have cited on August 29, 2016. Instead, DEJONG did not run the plates and/or driver's history of the individuals who he claimed to have ticketed on August 29, 2016 until August 31, 2016.

22. The RMV has certified that it has no record of citations 540, 542, 543, 545, 547 and 548 having ever been issued. We are awaiting RMV confirmation that the RMV has no record of citations 541, 544, and 546. Agents, however, have reviewed the driver histories of the drivers who supposedly received citations 541, 544, and 546 and those citations do not appear on the driver histories of those individuals. Ordinarily, if a citation is issued to a driver and processed through the RMV, the RMV will record that citation on an individual's Massachusetts driver history.

DEJONG's Loss Calculation

23. Based upon a review of DEJONG's 2016 (a) submission of fraudulent and bogus citations; (b) Paystation records; (c) MSP cruiser radio transmission records; (d) CJIS database transactions; (e) MSP cruiser refueling records; (f) AIRE and X-Team paperwork; and (g) RMV records, among other things, the investigation has revealed that DEJONG left early or failed to show up for work

⁴ Aside from the August 29, 2016 AIRE shift, which I do not believe was worked by DEJONG, Paystation records reveal that DEJONG worked an AIRE overtime shift on August 26, 2016 from 0730-1130, took a vacation day on August 27, 2016, and was on regular days off on August 28, 2016 and August 29, 2016 before returning to work on August 30, 2016 at 7:00 a.m.

for at least approximately 140.25 hours of AIRE and 47.25 hours of X-Team overtime. Based upon DEJONG's fraudulent representations to the MSP that he worked certain overtime hours for MSP (when, in fact, he had not worked those hours), MSP overpaid DEJONG by \$14,062.50 in 2016.⁵

⁵ Investigators used a conservative methodology to estimate this loss. For example, if a trooper worked a fraction of an overtime shift, the Trooper's work-time was credited upwards to the nearest quarter hour. If a Trooper's MSP cruiser radio data showed the possibility that a Trooper began an overtime shift earlier (or ended later) than the allotted time, the Trooper was given credit for that time. Investigators also credited Troopers with commuting time, *i.e.*, if a Trooper needed a half hour of commuting time to reach his overtime assignment and/or return home from an overtime assignment, any commuting time was credited to the Trooper's overtime hours.